

Beaver County
Beaver, UT 84713
July 6, 2004

The Board of County Commissioners met on July 6, 2004 at 10:00 a.m. for its regularly scheduled meeting. Those present were William L. Dalton, Chairman; Mark S. Whitney, Member; Patrick R. Yardley, Member; Bryan L. Harris, Commission Assistant; Von J. Christiansen, Attorney; and Paul B. Barton, Clerk/Auditor.

Minutes of the June 7 & 29, 2004 meeting were read. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously passed to approve the minutes.

The Board discussed the adoption of Ordinance #2004-07. Due to a conflict, Comm. Dalton left the room and did not participate in the discussion. The chair was passed to Comm. Yardley. The ordinance was related to the closing of a Class "D" road near the Nevada line in the White Rock mountains. The public hearing was previously held on April 5, 2004. This road cuts through private property owned by Barry Thiriot. No one opposed the closure at that time. The following people appeared at the meeting to oppose the closure of this road: Dennis Roden, Michael Scott, Bevan Lister, Dave Hornbeck, Frank Delmue, Rhonda Hornbeck, Mark Holt and Andrea Holt. Mrs. Hornbeck is a Lincoln County Commissioner in Nevada. She stated that this is the access for ranchers and sportsmen. Mr. Scott stated that it will restrict the Nevada Department of Wildlife's efforts in wildlife counting. Mr. Roden was concerned about law enforcement issues as it relates to wildlife. Mr. Delmue was concerned about water rights on springs above the private property. Mr. Holt was concerned about access on the mountain for elk and deer hunting. Mr. Hornbeck was concerned about hunting and access into the area for other types of recreation. He also would like the decision delayed to allow discussions with Mr. Thiriot. Mr. Lister was concerned about access into the area and requested the decision be delayed. Comm. Whitney stated that he is trying to balance public access and private property rights. It was moved by Comm. Whitney to adopt Ordinance No. 2004-07 - An Ordinance Vacating Class-D County Road Near the Utah-Nevada Border. Comm. Whitney also stated that he is supportive of an effort to work with the property owner and others interested in the issue to come up with an alternative motorized access around the private property. The chair was passed to Comm. Whitney. Comm. Yardley stated that he is concerned about protecting the private rights and seconded the motion. The chair was passed back to Comm. Yardley. Comm. Whitney and Comm. Yardley voted in favor of the motion. No one opposed the motion. Comm. Dalton returned to the meeting and the chair was passed back to him.

Betty Miller and Maureen Verhaeren met with the Board to show a video clip that was prepared by the Discovery channel and will air later in the year. The video showed an overview of the county and places of interest to visit. The video is owned by the County and is available for use by the Travel Council and economic development.

Rob Adams met with the Board to discuss the status of the intermodal railroad project as it relates to economic development.

Ron Wilson and George Humphries, from State Forestry, Fire & State Lands, met with the Board to provide an update on activities. Mr. Wilson reviewed programs the Division oversees. Mr. Humphries reviewed the status of the wild fires in the area.

The Board met with representatives from Service Districts #1 & #2 to discuss issues related to fire protection in the county. Those present for the discussion were Nolan Davis, Les Whitney, George Humphries, Norman Davis and Jack Erwig. Issues discussed were cooperation between departments, communication, skill levels of fire fighters, etc.

Phil Jolley and Craig Davis met with the Board to discuss a land division of Mr. Jolley's along North Creek Ranch Road. The Planning Commission recommended the division. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously passed to approve the land division.

Mr. Davis discussed a new building permit fee schedule. Mr. Davis will compare fees in neighboring counties and make a list for the Board's review.

Val Smith, Ila Smith and J.D. Osborn met with the Board to discuss installing power at the Tushar Lakeside Campground. The approximate cost would be \$19,926.00 and an annual cost of \$635.00. It was the consensus of the Board to proceed with the project and assist in digging the trench for the line.

Donald Auer, with Division of Wildlife Resources, met with the Board to discuss the wildlife management area plan.

The Board canvassed the election returns of the primary election held on June 22, 2004. After reviewing all relevant information and counting all provisional ballots, it was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to sanction the election results. A copy of the election report is attached.

It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously passed to adopt Resolution No. 2004-10 - A Resolution Authorizing an Annual Renewable Lease, A Master Resolution, Security Documents and the issuance and sale by the Authority of its \$415,000 Municipal Building Authority of Beaver County #2, Utah Lease Revenue Bond Series 2004 to finance the cost of acquiring and constructing a Public Safety Facility (Firehouse), etc.

Sheriff Ken Yardley and Lt. Keith Draper met with the Board to discuss the renewal of the contract to house state inmates with the State of Utah. The new contract is based on a count of up to 170 inmates per day at a daily rate of \$42.32. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to authorize the chairman to sign the contract.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt Resolution No. 2004-09 - A Resolution Adopting the Five Co. A.O.G. Natural Hazard Mitigation Plan.

It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously passed to approve the agreement with Crown Asphalt on road oil.

Mr. Harris presented a map on the High Desert Trail for ATV use. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to authorize the chairman to sign the charter agreement.

A letter from Dennis Miller re: dust problems was reviewed. Mr. Harris will respond to Mr. Miller requesting more specific input on what should be done.

It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to authorize the chairman to sign the Cooperative Agreement with the State of Utah on the operation of the Minersville Park.

A proposal to have the Utah Association of Counties collect the transient room tax was discussed. No action was taken.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to have the chairman sign the design contract on the walking/biking trail with Jones & DeMille Engineering.

It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to authorize the chairman to sign the Electronic Trading Partner Agreement with the Utah Retirement Systems. This agreement is necessary in order for the county to file retirement information electronically.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to authorize the chairman to sign the Qwest Enhanced 9-1-1 Service Agreement, extending the database service for three years with no increase in rates.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor
